

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. 18-cv-80176-BLOOM/Reinhart

IRA KLEIMAN, *et al.*,

Plaintiffs,

v.

CRAIG WRIGHT,

Defendant.

ORDER

THIS CAUSE is before the Court upon Plaintiffs' Motion for Ninety Day Extension of Pretrial Deadlines and for Continuance of Trial Date, ECF No. [377] ("Motion"). On January 10, 2020, the Court entered an Order granting Plaintiffs' expedited motion to extend discovery and to postpone the depositions of Craig Wright, Ramona Watts, and Andrew O'Hagan. ECF No. [375]. Plaintiffs were given until January 14, 2020 to file a motion seeking any additional relief requested as a result of the Court's January 10, 2020 Order, ECF No. [373]. *Id.* In that Order, ECF No. [373], the Court affirmed in part and reversed in part Magistrate Judge Reinhart's Order, ECF No. [277], that had deemed certain facts established and had struck certain affirmative defenses.

In the Motion, Plaintiffs argue that they cannot adequately prepare this case for trial under the original timeframe in light of the Court's January 10, 2020 Order. Plaintiffs now seek (1) a ninety-day extension of the discovery cut-off and a corresponding extension of the pre-trial deadlines and the trial date, and (2) granting seven interrogatories to propound on Defendant that must be responded to within ten days. ECF No. [377] at 3-4. During this proposed period, Plaintiffs anticipate deposing Defendant after obtaining information regarding the "bonded

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courier," *id.* at 3, deposing Ms. Watts and Mr. O'Hagan, *id.* at 4, and deposing other fact witnesses. *Id.* at 4-5. Plaintiffs add that they will need to ask Judge Reinhart to reconsider prior rulings denying Plaintiffs' written discovery requests given the current posture of the case, and that they may need to conduct further written discovery. *Id.* at 6. Finally, Plaintiffs request relief from S.D. Fla. L.R. 26.1(g) (requiring that discovery disputes be presented to the court by motion within 30 days) and the ability to raise discovery response issues to Judge Reinhart within 20 days of the Court's Order. *Id.* at 7.

The Court has considered the Motion, Defendant's Response to Plaintiffs' Motion to Extend Deadlines and to Continue Trial, ECF No. [379], Plaintiffs' Reply in Support of Their Motion, ECF No. [381], and is otherwise fully advised. The Court finds good cause exists for the continuation of the current pre-trial deadlines and trial dates. Moreover, the Court will afford both parties an additional period of discovery. Accordingly, it is

ORDERED AND ADJUDGED that:

1. The Motion, **ECF No. [377]**, is **GRANTED IN PART**.
2. Plaintiffs shall be entitled to propound seven (7) interrogatories about the bonded courier. Defendant shall respond to those interrogatories within ten (10) days of service.
3. The parties are granted relief from the time limits imposed in S.D. Fla. L.R. 26.1(g)(1). Plaintiffs are permitted to seek additional discovery and may file a motion with the Court should they seek to have the Court reconsider previous discovery rulings.
4. The Court's Scheduling Orders, **ECF Nos. [78] and [148]**, are **AMENDED** as follows:

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THIS CAUSE is now set for trial during the Court's two-week trial calendar beginning on **July 6, 2020, at 9:00 a.m.** Calendar call will be held at **1:45 p.m. on Tuesday, June 30, 2020.** No pre-trial conference will be held unless a party requests one at a later date and the Court determines that one is necessary. Unless instructed otherwise by subsequent order, the trial and all other proceedings in this case shall be conducted in Courtroom 10-2 at the Wilkie D. Ferguson, Jr. United States Courthouse, 400 North Miami Avenue, Miami, FL 33128. The parties shall adhere to the following schedule:

- February 4, 2020** Plaintiffs shall raise any discovery disputes based on prior responses from Defendant and/or prior rulings Plaintiffs wish to revisit
- March 2, 2020** Parties are to apprise the Court on the progress of discovery by filing a joint report.
- March 27, 2020** Parties to disclose expert witness summaries or reports or disclose new experts with summaries/reports
- April 6, 2020** Parties exchange any rebuttal expert summaries or reports.
- April 17, 2020** All discovery, including expert discovery, shall be completed.
- May 4, 2020** All pre-trial motions, motions *in limine*, and *Daubert* motions (which include motions to strike experts) are filed. **This deadline includes all dispositive motions.** Each party is limited to filing one motion *in limine* and one Daubert motion. If all evidentiary issues cannot be addressed in a 20-page memorandum, leave to exceed the page limit will be granted. **The parties are reminded that motions *in limine* must contain the Local Rule 7.1(a)(3) certification.**
- June 15, 2020** Parties submit joint pre-trial stipulation in accordance with Local Rule 16.1(e), proposed jury instructions and verdict form, or proposed findings of fact and conclusions of law, as applicable.

DONE AND ORDERED in Chambers at Miami, Florida, on January 15, 2020.



BETH BLOOM
UNITED STATES DISTRICT JUDGE

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Copies to:

Counsel of Record